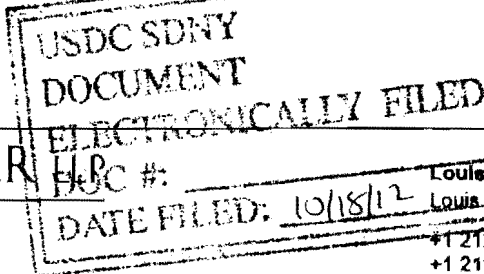


ARNOLD &amp; PORTER


 Louis S. Ederer  
 Louis.Ederer@aporter.com

 +1 212.715.1102  
 +1 212.715.1399 Fax

 399 Park Avenue  
 New York, NY 10022-4690

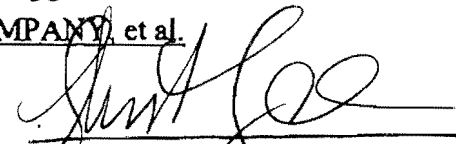
October 17, 2012

**VIA FACSIMILE AND FEDEX**
 The Honorable Shira A. Scheindlin  
 United States District Court  
 Southern District of New York  
 500 Pearl Street, Room 1620  
 New York, New York 10007

The October 19, 2012 conference  
 hearing to show cause is  
 adjourned indefinitely and the  
 temporary restraining order is  
 extended for fourteen (14) days.  
 SO ORDERED.

 Re: Sweet People Apparel, Inc. d/b/a MISS ME v. XYZ COMPANY, et al.  
 Case No.: 12-cv-07506-SAS

Dear Judge Scheindlin:

  
 10/17/12 Shira A. Scheindlin  
 U.S.D.J.

This firm represents Plaintiff Sweet People Apparel, Inc. in the above-entitled action. As the Court will recall, this case involves Defendants' unauthorized copying of Plaintiff's online retail store "missme.com", and use of Plaintiff's registered MISS ME mark as part of their domain names, all as part of a scheme to deceive consumers into purchasing MISS ME brand jeans products that are then never delivered.

As Your Honor will further recall, on October 5, 2012, you entered an ex parte Temporary Restraining Order and Order to Show Cause for Preliminary Injunction, Expedited Discovery and other relief (Dkt. No. 3). Among other things, the TRO directs the registrars of the infringing domain names (companies named eNom, Inc. and Namecheap, Inc.) to temporarily disable and deactivate the domains and corresponding websites (TRO, pp. 8-9), and, within five (5) days of receiving notice of the TRO, to produce various documents relating to the domain name registrations and the operators of the websites (TRO, pp. 6-7). You then ordered that, by October 15, 2012, Plaintiff should file a Declaration of Compliance indicating whether, and to what extent the registrars had complied with the Court's Order.

On the evening of October 15, Plaintiff filed its Declaration of Compliance (Dkt. No. 4), in which it indicated that while the infringing domain names had been deactivated and the sites disabled, the registrars had not yet identified the registrants of these domain names or produced any documents. Subsequently, however, we have received a letter from an attorney for Namecheap, Inc. (copy attached), who purported to identify the registrants, namely, Feng Yu of Marquette, New York, and Anthony Jackson of Hebron, Indiana, and further indicated that Namecheap has notified them of this suit and sent them all the Court filings. We have since written to counsel for Namecheap and reminded her that her client is still under court order to produce documents relating to these domain name registrations and registrants, but has yet to do

Hon. Shira A. Scheindlin  
October 17, 2012  
Page 2

so; indeed, to date, we have received no document production from either registrar. Further, we have done some Internet research regarding the purported registrants, Feng Yu and Anthony Jackson, and from all appearances these are fictitious names.

We further note that in the TRO, the Court ordered the Defendants to file any opposition papers to Plaintiff's Preliminary Injunction Motion by October 16, 2012, with Plaintiff's reply papers to be filed on October 18. The Court then scheduled a hearing for October 19, 2012 at 1 p.m. Not surprisingly, however, we did not receive any opposition papers yesterday, and none were filed on ECF. Accordingly, we do not anticipate that Plaintiff's motion will be opposed.

We accordingly write to ask the Court whether it wishes to go forward with the October 19 hearing, or whether, in the alternative, in view of Defendants' apparent default, Plaintiff should simply make follow-up submissions in the form of proposed orders and/or judgments with respect to the remaining open issues. We would, of course, be happy to proceed either way. If the Court wishes to cancel or adjourn the October 19 hearing, then we would ask that the TRO be extended for a period of two weeks so that Plaintiff can make appropriate follow-up submissions.

Thank you for your consideration.

Respectfully,

ARNOLD & PORTER LLP

By:   
Louis S. Ederer

cc: Feng Yu (zarasupport@hotmail.com) (via e-mail)  
Anthony Jackson (cjc8288@msn.cn) (via e-mail)

# Rome & Associates

2029 century park east, suite 1040, los angeles, ca 90067  
tel: (310) 282 0690 / fax: (310) 282 0691

October 15, 2012

**VIA U.S. MAIL AND EMAIL: ALAN.VERONICK@APORTER.COM**

Alan C. Veronick  
Arnold & Porter LLP  
399 Park Avenue  
New York, NY 10022-4690

**Re: Infringement Notices for <missme-jeans.com> and  
<missmejeansoutlet.com>**

Dear Mr. Veronick,

My law firm serves as counsel to Namecheap, Inc ("Namecheap"). We are in receipt of your letters dated October 5 and October 11, 2012, in which you identify material appearing at <missme-jeans.com> and <missmejeansoutlet.com> (the "Domains") to be infringing on your client's intellectual property rights. Please know that Namecheap respects third-party intellectual property rights, and has advanced your communications to the registrants of the Domains.

In light of the claims made in your request, in accordance with its Terms of Service, Namecheap will remove WhoisGuard protections for the Domains. The identity of the actual registrant of the Domain should appear within days in the Whois database.

In the mean time, please be advised that the information submitted by the registrants to Namecheap in connection with the Domains is:

DOMAIN: <missme-jeans.com>

Name: Feng Yu  
Address: xiamen  
Marquette  
NY, 49855  
US  
Phone: +1.9067138267  
Email: zarasupport@hotmail.com

Alan C. Veronick  
October 15, 2012  
Page 2

DOMAIN: <missmejeansoutlet.com>

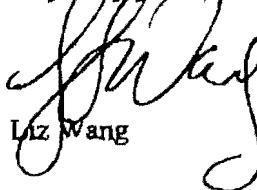
Name: Anthony Jackson  
Address: 4380 Post Avenue  
Hebron  
IN, 46341  
US  
Phone: +1.2192709504  
Jackson, Anthony  
Email: cjc8288@msn.cn

Please direct any further inquiries related to the subject Domains directly to the registrants.

If your grievance is with the domain name, we request you seek resolution through the Uniform Domain Name Dispute Resolution Policy ("UDRP"), available at <http://www.icann.org/en/dndr/udrp/uniform-rules.htm>. The UDRP is adopted by ICANN and incorporated by reference into the Registration Agreement between the registrant of the Domains and Namecheap. Namecheap will abide by a decision of any UDRP provider or an order by a court of competent jurisdiction.

This letter is not intended to constitute, nor shall it be deemed to constitute, a full statement of all facts, rights or claims relating to this matter, nor is it intended, nor shall it be construed as a waiver, release or relinquishment of any rights or remedies available to my client, whether legal or equitable, all of which are hereby expressly reserved.

Very truly yours,



Liz Wang

cc: Namecheap, Inc.